

REMARKS

Claims 1-6 and 8-19 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-6 and 8-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Franklin (U.S. Pat. No. 5,971,116). This rejection is respectfully traversed.

As disclosed, Franklin teaches of a suspension device having user selective damping performance of a hydraulic damper for a wheeled vehicle, utilizing a single damping device, a damper controller, and a sensor integrated in said damper. It does not anticipate nor contemplate Applicants present invention, of integrating a plurality of shock absorbers for combined use in a vehicle each having their own damping characteristics which are calculated and equated for in the electronic control module, when determining damping force.

Applicants invention is based upon the premise that the performance of each individual shock absorber is dependant upon the manufacturing tolerances, and varies for each assembly. Utilizing a plurality of shock assemblies on a single vehicle would therefore yield different damping characteristics for each portion of the vehicle dampened by an individual shock absorber. Franklin does not anticipate differentiating the output of a control module to each individual shock absorber in a vehicle utilizing a

plurality of damper devices based upon calibration data received from each independent shock absorber.

Furthermore, Franklin does not teach nor claim a memory device for storing calibration data attached to each individual shock absorber assembly. Applicant has amended Claims 1, 6, and 17 to more particularly point out the subject matter which Applicant regards as his invention. Furthermore, since Claims 2-5, 8-16, and 18-19 are dependant upon theses Independent claims respectfully, Applicant respectfully requests the Examiners rejection to the above claims based upon 35 U.S.C §102(b).

REJECTION UNDER 35 U.S.C. § 103

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Franklin (U.S. Pat. No. 5,971,116) in view of Schwemmer et al. (U.S. Pat. No. 5,396,973). This rejection is respectfully traversed.

For the sake of brevity, Applicant respectfully reiterates the above comments in regard to the Franklin '116 reference above. In view of the reference to Schwemmer '973 these comments are believed to retain merit with the following additional comments. The '973 patent discloses a completely integrated shock absorber having a integrated controller, actuator and sensory means combined within one unit. Applicant agrees with examiner that it does teach of an electronic module with memory physically on the shock absorber, but teaches away from having a central electronic control module which receives and processes the individually tagged signals from a plurality of shock absorbers having different damping characteristics, to compensate for variance in manufacturing as contemplated by Applicant.

Applicant therefore respectfully believes the rejections based upon the '116 and '973 patents, alone or in combination have been overcome

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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